

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

UNITED STATES OF AMERICA,

: Plaintiff,

v.

: Case No. 3:03cr160

DELMAIN FANNIN,

: JUDGE WALTER H. RICE

: Defendant.

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DECISION AND ENTRY FINDING DEFENDANT IN VIOLATION OF  
SUPERVISED RELEASE, REVOKING SAME AND IMPOSING SENTENCE,  
CONSECUTIVE TO THE 84-MONTH SENTENCE PREVIOUSLY IMPOSED  
IN CASE 3:12CR077; DIRECTIVE REFERENCE PSYCHOLOGICAL  
EVALUATIONS OF DEFENDANT; RECOMMENDATIONS TO THE  
BUREAU OF PRISONS; RIGHT OF APPEAL EXPLAINED AND  
UNDERSTOOD; TERMINATION ENTRY

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On June 25, 2013, the Defendant, already under sentence of 84 months in Case No. 3:12cr077, appeared in open Court for final disposition on a Petition directing him to show cause why his supervised release, a status that began January 15, 2010, should not be revoked. Pursuant to the record made on the aforesaid June 25, 2013, and, further, noting that the Defendant had previously admitted to allegations set forth in the referenced Petition, revoked said supervised release and remanded the Defendant to the custody of the Attorney General of the United States, the Bureau of Prisons, for a period of 18 months, said sentence to run consecutively to the 84-month sentence imposed in 3:12cr077, with no period of supervised release to follow.

It is the order of the Court that the two psychological reports from Dr. Massimo DeMarchis, under dates of June 1, 2005 and April 29, 2013, as well as the January 27, 2013, mental status evaluation from the Federal Medical Center at Springfield, Missouri, be forwarded to the designating official at the Bureau of Prisons, as an aid and assistance both in the process of designation and in evaluation of the type of mental health therapy the Defendant needs to receive at the designated institution.

This Court will recommend to the Bureau of Prisons that Defendant be given credit for all allowable pre-sentence time served, that he be designated as close to his home in the Dayton, Ohio, area as possible consistent with his security status, that Defendant receive counseling in a structured anger management program and receive mental health therapy on his co-dependency issues. Additionally, the Court recommends that Defendant be made eligible for and enrolled in the Bureau of Prisons 500-hour Residential Drug Treatment Program. Finally, Defendant is to receive a thorough medical examination and adequate medication/counseling to deal with his pain management issues.

Following the above, the Defendant was orally explained his right of appeal, and he indicated an understanding of same.

The captioned cause is ordered terminated upon the docket records of the United States District Court for the Southern District of Ohio, Western Division, at Dayton.

June 28, 2013

  
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WALTER H. RICE  
UNITED STATES DISTRICT JUDGE

Copies to:

Counsel of record  
Christopher Owens, U.S. Probation Officer  
U.S. Marshals Service